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10/575,547	05/14/2007	Romilly Blackburn	127721	8954

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EXAMINER
WOO, KUO-KONG

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 May 2007*.

2a)☐ This action is FINAL.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 May 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement (IDS) filed on 6/7/2006 has been

considered.

Priority

2.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1- 8, 14-22 and 27 are rejected under 35 U.S.C. 103(a) as being

anticipated by Heiner (US Patent No: 6,112,227) in view of Stern et al. (US Patent No:

7,340,048 B2).

        Regarding claim 1 and 15, "a method for delivering messages by a sender to

recipient over a communication network, receiving a message from the sender" Heiner

discloses (Col. 2 Lines 1-3, receiving an original electronic mail message from a source

client at a destination server);

"Sending an automatic verification request to the sender requesting a verification response" (Lines 3-8, sending a reply electronic mail message from the destination server to the source client requesting that the source client complete a registration process; monitoring the response of the source client to the request to complete a registration process to determine whether the source client properly responds to the request);

"Receiving the verification response from the sender and delivering the SMS message to the recipient upon receiving the verification response" (Lines 8-11, and sending the original electronic mail message from the destination server to the destination client only if the source client properly responds to the request to complete a registration process), wherein registration process is verification process for the source client (sender). However, Heiner does not explicitly teach "delivering the SMS message".

In an analogous art, Stern discloses (Col.2 Lines 40-42, It is to be understood that the invention has many embodiments and can be applied to any system where confidential and secure access to an entity or services are needed), and (Lines 53-59, To place a call or provide access to the subscriber, the invention associates a subscriber with a cellular phone number by context association. The subscriber manages context associations on the web, by telephone, short message (SMS), or any other means to access the listing creation mechanism, with conventions that are established 333 by each subscriber), wherein the application is applied to SMS and message application on the web).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use Heiner teaching in combination of Stern provides

any system where confidential and secure access to an entity or services are needed (

see Abstract)). Rationales for arriving at a conclusion of obviousness suggested by the

Supreme Court's decision in KSR include: Combine prior art elements according to

known method to yield predictable result.

Regarding claims 2 and 16, "sender identification and verifying the SMS

message includes comparing the one or more sender lists and verification request is

send to the sender where the sender is not in the white list" Heiner discloses (Col. 2

Lines 17-24, comparing the electronic mail address of the source client to an accept list

of electronic mail addresses; sending the original electronic mail message to the

destination client when the electronic mail address of the source client is on the accept

list; sending a reply electronic mail message from the destination server to the source

client requesting that the source client complete a registration process when the

electronic mail address of the source client is not on the accept list) wherein request the

source client (sender) to complete registration process (verification) on the accept list (

white list) for sender's identification.

Regarding claims 3 and 17, "wherein the sender identification is mobile

telephone number" Heiner discloses (Col 4 Lines 3-9, in other embodiments, the

registration process is completed by filling out an Internet web page form or by following

instructions via a telephone system. Although these embodiments have particular

benefit, those skilled in the art will appreciate that there are many different ways in

which the registration process can be performed, wherein those skill in the art is able to

request sender mobile telephone number as to prove as the sender identification.

Regarding claim 4 and 18, "wherein the sender identification is an email address"

Heiner discloses (Col.2 Lines17-20, comparing the electronic mail address of the source

client to an accept list of electronic mail addresses; sending the original electronic mail

message to the destination client when the electronic mail address of the source client

is on the accept list), wherein registration process (verify the send identification) is

checking the source (sender) email address.

Regarding claims 5, 14, 19 and 27, "wherein the one or more sender lists

includes a black list, and the white list includes a list of authorized a senders and the

black list includes a list of unauthorized senders" Heiner discloses (Col. 3 Lines 29-32,

the reject list may contain e-mail addresses of known sources of junk e-mail and any e-

mail address from which the destination client wishes not to accept e-mail.), wherein

reject list is black list.

Regarding claims 6 and 20, "wherein the on e or more senders lists includes

super white list, and the SMS message is delivered to the recipient when the sender

identification is included on a super white list" Heiner discloses (Col. 4 Lines 19-21, If

the e-mail address is properly registered, the original e-mail message is sent to the

destination client and the source client's e-mail address is added to the accept list, as

indicated in step 150), wherein super white list along with message send to destination

client (recipient).

Regarding claims 7 and 21, Heiner teaches the message is received by a mobile telephone. However, Heiner does not explicitly disclose "wherein delivering the SMS message to the recipient includes allowing display of SMS message on the mobile telephone.

In an analogous art, Stern discloses (Col. 2 Lines 49-53, In one aspect of the invention, a cellular phone subscriber's web-managed context association such as, but not limited to, an alpha numeric string, is used as a unique address to locate and provide information, access, or both to a calling subscriber. To place a call or provide access to the subscriber, the invention associates a subscriber with a cellular phone number by context association. The subscriber manages context associations on the web, by telephone, short message(SMS), or any other means to access the listing creation mechanism, with conventions that are established 333 by each subscriber), wherein SMS message can be displayed on the mobile phone as each subscriber as requested.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Heiner teaching in combination of Stern provides illustration of the feature of the invention as needed(see Abstract). Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include Combine prior art elements according to known method to yield predictable result.

Regarding claims 8 and 22, "wherein the SMS message is received by a system server to the mobile telephone" Heiner discloses (Col. 2 Lines 1-4, receiving an original

electronic mail message from a source client at a destination server) and (Lines 8-10,

sending the original electronic mail message from the destination server to the

destination client), wherein original message from source is sending through server to

destination (receiver mobile phone).

5.   Claims 9-13 and 23 -26 are rejected under 35 U.S.C. 103(a) as being anticipated

by Heiner (US Patent No: 6,112,227) in view of Lewis et al. (US Patent No: 7,454,195

B2).

        Claims 9 and 23, Heiner teaches white list and system server for verification of

sender identification. However, Heiner does not explicitly disclose "wherein the super

list is synchronized with a second white list over the communications network, wherein

the second super white list is stored on as system server database".

        In an analogous art, Lewis discloses (Col.3 Lines 35-45, an alias email routing

portion for storing alias email routing information, a sub email portion for storing email

information, an email type portion for storing email type information, a browser portion

for storing browser information, a sub service attribute portion for storing sub service

attribute information, a blacklist portion for storing blacklist information, and a white list

portion for storing white list information. The storage device further includes a device

portion for storing device information associated with the wireless subscriber), and (Col.

7 Lines 28-37, the one or more routing entities are known as a Routing and Validation

Entities (RAVE) 130 which may be accessed by the ARCs 110a-c to perform validation,

routing and alias/distribution list functions. The RAVE 130 accesses routing information

in a Routing and Validation Database (RVDB) 135 via a Backbone Integration Transport

Bus (BITBUS) 132. The RAVE 130 accesses alias and distribution list data in the User

Alias Database (UADB) 140.) and (Lines 60-62, Also, a Subscriber Configuration

interface (SCI) 165 interfaces to the network transport bus 125 for allowing users to

access and update subscriber and messaging device information.), wherein server

database is updated through RAVE (verification process) which include list or with,

black and other list information which is synchronized (Updated) the list.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use Heiner teaching in combination of Lewis provides

and storing subscriber information in a centralized location includes a processor,

memory coupled to the processor, and a data storage device coupled to the processor (

see Abstract). Rationales for arriving at a conclusion of obviousness suggested by the

Supreme Court's decision in KSR include: Combine prior art elements according to

known method to yield predictable result.

Regarding claim 10, Heiner teaches white list and system server for verification

of sender identification. However, Heiner does not explicitly disclose "wherein the white

list is synchronized with second white list which is stored on a system server database".

In an analogous art, Lewis discloses (Col. 36 Lines 9-22. MTA 2420 may perform

validating functions using data stored in UADB 2460. UADB 2460 is a replicated

database which contains a complete set or a subset of data contained in, for example,

the MIND database (shown in FIG. 1). In this example, UADB 2460, which is a

replicated database, provides customized message handling information on a per

subscriber basis. UADB 2460 may contain, for example, customer aliases, White lists,

Blacklists, distribution lists, language filters, message formatting options, and other

aspects of a subscriber's profile. Subscribers may be able to update their profile via an

Internet portal, through the subscriber configuration API, or through other means.

Consistent with the technology, UADB 2460 may receive updates from other network

databases), wherein subscriber white list and other databases communication link

through (Mail Transfer Gateway) MTG (system server) and (Mail transfer Agent) MTA

and store in UADB (User Alias Database) and UADB update (synchronize) the

database with subscriber list (white list) and other network database.

      Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use Heiner teaching in combination of Lewis provides

and storing subscriber information in a centralized location includes a processor,

memory coupled to the processor, and a data storage device coupled to the processor (

see Abstract). Rationales for arriving at a conclusion of obviousness suggested by the

Supreme Court's decision in KSR include: Combine prior art elements according to

known method to yield predictable result.

      Regarding claims 11, 13 and 26 have limitations similar to those treated in the

above claim 10 rejection(s), and are met by the references as discussed above.

      Regarding claims 12, 24 and 25, "wherein the one or more sender lists are stored

on a mobile telephone SIM card" Lewis discloses (Col.19 Lines 18-20, a wireless

subscriber may be allotted a certain limited amount of storage in a message data store

such as MDS 150a), wherein MDS (Message Data Store) is function as storage device
to store sender list for each subscriber (user).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

- US Patent No: 6199,102 B1 to Cobb al discloses a similar invention as recite in
  claim 11

- US Patent No: 7,272,852 B3 to Goodman et al discloses a similar invention as
  recite in claim 12.

- US Patent No: 6,101,393 to Alperovich et al discloses a similar invention as
  recite in claim 9.

- US Patent No: 6,023,723 to McCormick et al. discloses a similar invention as
  recite in claim 9.

        Any inquiry concerning this communication or earlier communications from the
examiner should be directed to KUO WOO whose telephone number is (571)270-7266.
The examiner can normally be reached on Monday through Friday 9:30-6:00.
        If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KUO WOO/
Examiner, Art Unit 2617

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617